

REMARKS

This Amendment responds to the Office Action issued on August 31, 2005. Claims 2, 4-16, and 25 are pending. By this Amendment, applicants have amended claims 5, 6, 8, 10, 12, 14 and 16, and have canceled claims 2, 3, 7, 9, 11, 13, 15, and 25. Applicants have also presented new claims 26-30. Accordingly, claim 5, 6, 8, 10, 12, 14, 16, and 26-30 will be pending and under examination upon entry of this Amendment. In view of the foregoing amendments and the remarks below, applicants respectfully request reexamination and reconsideration.

The Enablement Rejection

The Examiner has again rejected claims 5, 6, 8, 10, 12, 14, 16, and 25 under 35 U.S.C. §112, first paragraph, asserting that the specification lacks an enabling disclosure, as set forth in the prior Office Action. Applicant has canceled claim 25, thus the rejection with respect thereto is now moot. As to the other claims, applicant has amended each of the claims to delete the "variant" language, which the Examiner believes renders the claims inadequately enabled. The amended pending claims now encompass only peptides for a single allele selected from a defined group, without all of the possible variants previously included in the claims. The claims, therefore, no longer suffer from the alleged enablement problem raised by the Examiner. Instead, claims 5, 6, 8, 10, 12, 14, and 16 are fully enabled by the specification, and a person of ordinary skill would know how to make and use the claimed invention, given the disclosure contained in the specification. Applicants submit therefore that the claim amendments presented herein have obviated the enablement rejection, and that rejection may now be withdrawn.

The Anticipation Rejections

The Examiner has maintained the rejection of claims 2, 4, 7, 9, 11, 13, 15-16, and 25 under 35 U.S.C. §102(b), asserting that the claims are anticipated by Schoolnik. The Examiner asserts that Schoolnik discloses synthetic peptides from HPV that are useful in the diagnosis and therapy associated with HPV infection. In response, applicants have canceled the foregoing claims, rendering the outstanding anticipation rejection moot. Applicants submit that the anticipation rejection in view of Schoolnik may now be withdrawn.

The Examiner has also rejected claims 4, 7, 9, 11, 13, and 16 under 35 U.S.C. §102(b), as anticipated by Tindle or Comerford. The Examiner asserts that Tindle discloses peptides from E7 of HPV16, and a pharmaceutical composition comprising the peptide and an adjuvant. The Examiner further asserts that Comerford discloses T-Cell and B-Cell epitopes of E7 of HPV16, synthetic peptides from E7 of HPV16, and a pharmaceutical composition comprising the peptide and a pharmaceutically acceptable carrier or adjuvant.

In response, applicants have canceled the foregoing rejected claims, thereby rendering the anticipation rejection based upon Tindle or Comerford moot. Applicants respectfully request that the rejection be withdrawn.

The Formalities

The Examiner objects to certain informalities in claim 25, and (apparently by reference) in claims 2 and 4-16. Applicants have canceled claim 25, without prejudice or disclaimer, and have amended claims 5, 6, 8, 10, 12, 14, and 16 so that they no longer depend on claim 25. Therefore, applicants submit that they have corrected the objections,

and that the objections may now be withdrawn.

Finally, the Examiner comments that a terminal disclaimer has been filed for this application without referencing an application serial number or patent number, and that there is no obviousness double patenting rejection of record. Applicants filed the terminal disclaimer together with a petition to revive an unintentionally abandoned application, to disclaim the period of time during which the application had been unintentionally abandoned. Applicants submit that the terminal disclaimer is proper and request its acceptance.

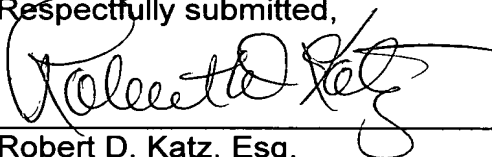
Conclusion

Applicants submit that they have overcome the rejections and corrected any informalities contained in the application. Thus, the application is in condition for allowance and applicants request notification thereof at the Examiner's earliest convenience.

Applicants hereby authorize the Commissioner to charge any additional fee or credit any overpayment to deposit account 03-3125. In addition, in the event applicants require an additional extension of time to file this amendment, applicants hereby request same, and authorize the Commissioner to charge the fee therefor to deposit account no. 03-3125.

Dated: February 27, 2006

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert D. Katz", is written over a horizontal line.

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